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October 4, 2007

Via Facsimile Only

Mr. Steve Bianchi  
Jubco Site Development, LLC  
462 Lakeview Avenue  
Valhalla, New York 10595

Re: The Annuity, Pension, Welfare and Apprenticeship Skill Improvement & Safety Funds of I.U.O.E. Local 137 v. Jubco Site Development, LLC  
Civil Case No. 07-CIV-6835 (CLB)

Dear Mr. Bianchi:

Our office represents the International Union of Operating Engineers, Local 137, 137A, 137B, 137C & 137R Annuity, Pension, Welfare and Apprenticeship, Skill Improvement & Safety Funds in connection with the above-captioned matter which was originally scheduled for an initial conference this Friday, October 4, 2007. Please be advised that pursuant to our request, Judge Brieant has rescheduled this initial conference for November 9, 2007 at 9:00 a.m.

Thank you for your attention to this matter.

Very truly yours,

James M. Steinberg

Cc: The Honorable Charles L. Brieant